Purchasing Manual

August 2023

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INTRODUCTION

a. The Dallas ISD Procurement Services Department is responsible for the procurement of goods and services for Dallas ISD. While striving to give the best service possible to support the educational mission of Dallas ISD, the Procurement Services Department ensures purchases are in compliance with Dallas ISD Board Policy as well as federal, state, and local laws.
b. The purchasing process is a complex process that has the following distinct phases:
    1. Requirements Determination

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SECTION 1

DALLAS ISD PROCUREMENT SERVICES DEPARTMENT MISSION STATEMENT, GOALS, AND OBJECTIVES

Mission Statement

To support the Dallas Independent School District's vision, core beliefs, and principles of public service by acquiring the needed resources through prudent purchasing practices and excellent customer service.

Goals

- To provide quality products, services, and materials to the District at the best value and in accordance with applicable law and policy;
- To foster good vendor relations and a competitive and inclusive purchasing environment;
- To provide supervision and guidance during the procurement process; and
- To streamline the purchasing process to reduce the amount of time it takes to obtain important goods and services that are vital to providing students with the education they deserve.

Objectives

- To assist in the prudent use of District resources through efficient use of competitive procurement and the purchase order process;
- To promote and apply ethical business practices;
- To educate and train District personnel;
- To improve processes and implement the best purchasing practices;
- To foster good vendor relations;
- To promote and develop a competitive and inclusive purchasing environment; and
- To support the initiatives and adhere to the M/WBE program.

SECTION 2

STATUTES, REGULATIONS, AND BOARD POLICY APPLICABLE TO PURCHASING

a. The Texas Education Code in general and specifically Chapter 44, Subchapter B, Purchases; Contracts.
b. The Texas Education Agency (TEA) Financial Accountability System Resource Guide: Purchasing Module.
c. The Dallas Independent School District's Board Policy.
d. Food and Child Nutrition Services purchases are also subject to US Department of Agriculture (USDA) and Texas Department of Agriculture (TDA) statutes, regulations, guidelines, policies, and procedures.
e. Code of Federal Regulations (CFR) 200.318 - general procurement standards and Education Department General Administrative Regulations (EDGAR).

The above list is not all-inclusive. There are other federal and state statutes and resources that control purchases. In the event of a conflict between this Purchasing Manual and any applicable law, regulation, or Board Policy, the law, regulation, or Board Policy shall take precedence over this Purchasing Manual.

Competitive purchasing must comply with all applicable statutes, regulations, policies, procedures, etc., which are based primarily on certain dollar thresholds. The following manual sections contain general guidelines based on dollar thresholds.

End users must never circumvent or bypass the cited dollar thresholds within this manual via sequential, component, and/or separate purchases. Attempting to bypass these dollar thresholds may constitute criminal conduct subject to the punishments set forth in Education Code Section 44.032. (See also Board Policy CH (Legal) Criminal Offenses).

SECTION 3

PURCHASING AUTHORITY

a. Pursuant to Texas Education Code §44.0312 (a), the Board of Trustees of the District may, as appropriate, delegate certain purchasing authority to a designated person, representative, or committee. Pursuant to Board Policy CH (LOCAL), the board has delegated to the Superintendent of Schools the authority to determine the method of purchas

- A valid purchase order is created in accordance with established administrative procedures
- A valid check request is created in accordance with established administrative procedures
- An electronic fund transfer is made in accordance with established administrative procedures

(2) A purchase of goods or services that is not authorized as described above will be considered an unauthorized transaction that is made without the consent of the board. The District will not honor unauthorized transactions and will not pay any obligation created thereunder.

(3) All unauthorized transactions shall be reported to the Chief Financial Officer. Anyone creating or authorizing such a commitment may be personally liable for payment of any obligation created by an unauthorized transaction. The board may, in its discretion, ratify an unauthorized transaction.

(4) All vendors and potential vendors, by participating in the District's purchasing activities, agree to accept and abide by these requirements. Vendors and potential vendors delivering or attempting to deliver goods and/or services outside of an authorized transaction are in violation of District policy and acknowledge that the District does not recognize any obligation created in connection with an unauthorized transaction.

(5) If Procurement Services determines that a vendor or potential vendor has engaged or attempted to engage in an unauthorized transaction, that vendor shall be placed on "hold" in the electronic commerce system currently in use and shall be ineligible for ongoing or future work.

(6) Vendors may be removed from the above-referenced hold by submitting a letter certifying that they will remain in compliance with District policy and regulations and agreeing to voluntary exclusion from District procurement and contracts if unauthorized purchases occur.

(7) There are various types of approved contracts/agreements used within Dallas ISD. Each of these contracts/agreements have differing requirements, differing approval levels, and differing supporting documentation. Signatory (approval) levels for these various contracts/agreements are designated by authority of the Superintendent of Schools. Users should contact Procurement Services prior to initiation of any of these formats:

i. Interlocal Agreement (ILA) is used for buying between/among state agencies, municipalities, and/or cooperative organizations.

ii. Service agreement shall be used to document acceptance of an offer for services via a formal procurement (Request for Bid, Request for Proposal, Request for Qualifications, etc.). In most cases, the execution of an award letter referencing contract documents such as the solicitation document, the vendor's response to the solicitation, and other applicable documents (

SECTION 4

PURCHASING ETHICS

a. Public purchasing and the expenditure of public funds require that ethical standards be incorporated into every aspect of the District's purchasing functions. District employees must develop professional vendor relations and encourage vendor competition while avoiding even the appearance of favoritism or other ethical misconduct. Although short

(8) Equal Consideration – As permitted by state and federal laws, as well as District policy and regulation, District employees shall grant all competitive vendors equal consideration. This is especially important when evaluating bids and proposals.

(9) Relatives – No District employee with purchasing authority may authorize the purchase of anything from any person or from any firm that is controlled, owned, or operated by that employee or from a relative within the second degree by blood or marriage of the employee.

d. State law imposes criminal penalties for violation of the law. Specifically, Texas Education Code, Section 44.032 provides the following:

(1) An officer, employee, or agent of a school district commits an offense if the person with criminal negligence makes or authorizes separate, sequential, or component purchases to avoid the requirements of Section 44.031(a) or (b). An offense under this subsection is a Class B misdemeanor and is an offense involving moral turpitude.

(2) An officer, employee, or agent of a school district commits an offense if the person with criminal negligence violates Section 44.031(a) or (b) other than by conduct described by Subsection (b). An offense under this subsection is a Classae 1 AerFTfk%-

SECTION 5

CONTROL ENVIRONMENT

a. The Texas Education Agency's guidance states that "a district needs a strong control environment

(8) *Three-way match system.* Dallas ISD employs a three-way match system prior to paying invoices to ensure verification of invoices with purchase orders and online receiving information (packing slip/receiving document). Although receiving personnel are responsible for the initial verification, Accounts Payable personnel verify that the invoice, the purchase order, and the online receiving information (packing slip/receivingdocument) match before presenting the invoice for approval for paymdATw 4.641 0 Td(

(4) Assigned Budget Owners/Managers

- Shall plan purchases for each budget year to maximize opportunities to use competitive procurement options.
- Shall coordinate purchases with the Procurement Services Department for competitive procurement if no awarded vendor exists for the purchase.
- Shall collaborate to process all requests for procurement that cost or aggregate to a maximum cost of $50,000 or more through the Procurement Services Department for a formal procurement (RFP, CSP, or appropriate procurement method).
- Shall only initiate and approve purchase requisitions ttre(e)10.5 (m)-6 (e(i)2.6 (t)-67730 Td[(tni)2.

SECTION 6

COMPETITIVE PROCUREMENT

Competitive Procurement Methods: General Overview

A formal procurement is initiated through the Procurement Services Department for purchases that will total $50,000 or more in the aggregate during a 12-month period. The procurement method used for purchases of goods and services is determined by Procurement Services pursuant to Board Policy CH (LOCAL). The board has delegated to the Superintendent of Schools the authority to determine the method of purchasing that provides the best value for the District for purchases of goods or services.

a. Texas Education Code, Section 44.031 (a) enumerates several options for competitive procurement that are available to school districts. These options include:
   (1) competitive bidding for services other than construction services
   (2) competitive sealed proposals for services other than construction services
   (3) a request for proposals for services other than construction services
   (4) an interlocal contract
   (5) a method provided by the Texas Government Code, Chapter 2269, for construction services
   (6) the reverse auction procedure as defined by the Texas Government Code, §2155.062(d)
   (7) the formation of a political subdivision corporation under the Texas Local Government Code, §304.001
b. Formal procurements are generally solicited either through a request for proposal (RFP), a competitive sealed bid (RFB), or a competitive sealed proposal (RFCSP).
c.

(specifications) in the request for bids of item(s), and specific terms and conditions must be done in a manner that accomplishes the primary purposes of competitive bidding, which are to stimulate competition and obtain the best value for the items/goods(s) needed.

c. In the bidding process, specifications are very detailed, and vendors are **not** allowed to make changes to these specifications under peril of the bid being deemed non-responsive. The specifications, including delivery time, are so detailed that price is typically the primary award factor.
d. The competitive bidding process requires that bids be evaluated, and awards be made based solely upon bid specifications; terms and conditions contained in the request for bids document; the bid prices offered by responsive, responsible vendors; and pertinent factors that may affect contract performance. No substantive changes are permitted to the bid terms, conditions, and specifications.
e. Negotiations/discussions are **not** permitted in the competitive bid process.
f. A bid that has been opened may not be changed to correct an error in the bid price. A board shall have the right to reject any bid.
g. Although rare, the possibility exists that identical bids (i.e., a “tie”) may occur.
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(18) Sourcewell (https://www.sourcewell-mn.gov/)
(19) Southeast Texas Purchasing Cooperative (Region 5 ESC) (https://www.esc5.net/529541_3)
(20) State of Texas Co-Op Purchasing Program (TXMAS & TPASS) (https://www.txsmartbuy.com/)
(21)

8. Facilities Construction Bid or Proposal Guarantee

a. To

price. The bond must be payable to the school district and conditioned on the faithful performance of the terms of the contract.

11. Exceptions to Purchasing Contracts - Texas Education Code 44.031 (a) and (b)

a. Professional and Consulting Services
   (1) Professional services shall be procured pursuant to the Professional Services Procurement Act, located in Texas Government Code Chapter 2254, except for sole source purchases pursuant to Texas Education Code, Section 44.031(j).
   (2) For professional services, the competitive bid process will **not** be used. Instead, these services will be solicited by a request for qualifications (RFQ). Professional services include:
      - certified public accountant
      - architect
      - landscape architect
      - land surveyor
      - physician
      - optometrist
      - professional engineer
      - state-certified or state-licensed real estate appraiser
      - registered nurse
   (3) The RFQ requires a two-step process, so it is in the end user's best interest to get Procurement Services involved early in this process.
   (4) Contracts for these professional services shall be made based on demonstrated competence and qualifications to perform the services and for a fair and reasonable price.
b. Sole Source Purchases
   (1) Texas Education Code Section 44.031(j) allows for the purchase of items that is available from **only one source** (commonly called "sole source" or "single source").

14. Late Bids/Proposals

a. **Late bids/proposals will NOT be accepted or opened. Late bids/proposals will be time stamped or the date/time annotated on the envelope or box containing the bid/proposal. The late bid/proposal will be documented in the bid receipt log, noting**

opportunities. The notice of the time and place where the bids or proposals, or the responses to a request for qualifications, will be received and opened is required to be published in the county in which the District's central administrative office is located, once a week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications. The two-week advertisement requirement is a **minimum** requirement. Additional time for advertisement may be necessary based on the complexity of the bid/proposal. In addition to the newspaper, Dallas ISD utilizes the District's website to

- Compatibility of goods/products purchased with those already in use by the District
- M/WBE status

b. Evaluation of Proposals

(1) An evaluation committee is formed collaboratively with Procurement Services and knowledgeable stakeholders. The committee is chaired and facilitated by a Procurement Services representative who shall be responsible for all communications to and from the bidding vendors during the evaluation period as well as all documentation regarding the proposal tabulation process. The committee representative, from the requesting department, serves as the primary point of contact for the committee.

(2) During the evaluation process, evaluation panel members will provide scores based on comparing each vendor's response and how those responses best meet the requested needs of the District. The evaluation committee members' names and department are recorded; however, their individual scores will not be disclosed.

Services representative.

(9) The recommendations of the evaluation committee shall be reviewed and approved by the Procurement Services Executive Director or designee. Following that approval process, the recommendations will be prepared for the Dallas ISD Board of Trustees or other decision maker(s) and presented for award.

(10) The evaluation committee's primary point of contact is responsible for providing pertinent data/information to Board Services for board approval. The primary point of contact is also responsible for being the lead spokesperson to justify the need to the board including, but not limited to, history of the requirement, historical funds expenditure, rationale for vendor rankings, value to the District, and explanation of evaluation documentation. Board documents must be presented to the Procurement Services Executive Director no later than eight (8) business days prior to the deadline for board documents to be received by Board Services.

20. Right of Rejection and/or Cancellation

a. Per Board Policy CH (LOCAL), the District has the absolute right to reject any and all bids, proposals, competitive sealed proposals, statements of qualification, or other submittals when deemed in the best interest of the District, at any time up to the entering of an agreement or authorized transaction. Such rejection may involve returning the proposal or bid security and public notification of the rejection, which may be oral and may be contemporaneous with the delivery or reading of the submittals at a public opening.

b. The following is a non-exhaustive list of circumstances in which a cancellation or rejection may be considered:

- The specifications or scope of work is written in such a way that precluded a reasonable pool of vendors from submitting a response.
- It is determined that an essential requirement was omitted from the specifications.
- After evaluation, the District is unable to determine whether the goods or services meets the needs of the District.
- The pricing offered by bidding vendors exceeds the available funds or budget.
- During the procurement process it is determined that fairness, impartiality, or competitiveness in the procurement process has been compromised.
- A reasonable suspicion exists that collusion or other unethical behavior has occurred.

21. Rejected and/or Non-Responsive Bids/Proposals

a. Responses to a bid or proposal are considered "offers." A contract/agreement in response to a competitive solicitation (i.e., bid or proposal) is awarded to the responsive, responsible vendor(s) providing best value to the District based on price and other factors.

(1) A responsive o

(1) Qualifying the offer
(2) Failure to provide bond(s) or insurance, if required
(3) Attempt to limit vendor’s liabil i]TJ0 Tc 0 Tw 1.217 0 Td( )Tj0.005 sd8 0 TdeI6-B0.002 Tc 0.007 Tc0

SECTION 7

Procurement Services

1. Procurement Services Functions

Dallas ISD utilizes a centralized purchasing function in conjunction with decentralized decision-making. The purchasing process includes identifying commodities needed by the schools and administrative departments and executing formal procurements that will secure the necessary goods. The Procurement Services Department seeks to complete the competitive procurement process by having strategic contracts/agreements continuously in place. If an existing contract/agreement is not in place, Procurement Services will collaborate with the requesting department or campus, knov S(f)4.2 -D.6 (as)-2 (m)-6 (aktm)-6 (ak(s)-2 (/s6 (eem)-5[6584 sal

(11) Closing date of proposal/bid
(12) Evaluation and analysis of bid offers and negotiation, where applicable
(13) Preparation of the recommendation to the Board of Trustees for approval if the expenditure of funds has a value of $150,000 or greater (or $250,000 or greater in the case of a purchase through a cooperative), in the aggregate annually
(14) Issue award letters and agreements
(15) Process purchase orders

SECTION 8

VENDOR RELATIONS

b. A list of awarded vendors by bid/proposal number, vendor name or commodity can be found on the Procurement Services website under Doing Business with DISD/Awarded Vendors & Bids. This list is for districtwide purchases only. Information is updated regularly, so printed documents become outdated frequently. Please contact the Procurement Services Department prior to contacting a vendor if it is unclear from whom to purchase goods or services.

3. Vendor Communications

a. Potential vendors often contact, or attempt to contact, schools and departments and offer goods and services. If a school or department is contacted by a vendor or potential vendor, it is prudent to ask the vendor for their Dallas ISD Bid Number, not to be confused with a vendor identification number. If they have a Dallas ISD Bid Number, the vendor will be on the awarded vendor list and will also be in the Oracle database. If the vendor does not have a Dallas ISD Bid Number and the school or department needs the goods or services, an awarded vendor should be sought first.
b. Vendors are **not** allowed to introduce themselves as new vendors just because they are registered in the Oracle Vendor Management module.
c. Persons, vendors, potential vendors, or vendor's representatives conducting commercial business with the District shall refrain from contacting individual members of the board regarding any aspect of the business during the restricted contact period as described in Board Policy CHE (LOCAL) (see section 6, subsection 15). Communication with the board regarding any aspect of the business shall be in writing and addressed to all board members.
d. Persons, vendors, potential vendors, or vendor's representative conducting commercial business with the District shall refrain from contacting the Superintendent of Schools, Senior Staff Members, Principals, Department Heads, Directors, Managers of other District employees who have influence in the evaluation or selection process regarding any aspect of a procurement during the restricted contact period.
e. If the restricted contact period is not applicable, salespersons of educational products are permitted to interview teachers during their planning periods or before or after school. An appointment shall be necessary, and the visitation must be approved by the teacher(s) and the Principal. [See also GKB (LOCAL)]
f. Under no circumstances shall such persons be permitted to interrupt classes or conduct personal business with employees.
g. Administrators and/or Local Managers located in other District facilities shall be responsible for compliance with this procedure within the confines of those facilities.
h. For any procurement, regardless of the above time period, it is not acceptable for a potential vendor to be compensated to participate in determining the scope of work, strategic direction, technical specifications, or evaluation criteria of such projects.
i. If at any time, a vendor wishes to meet with a Procurement Services staff person, an appointment is strongly encouraged.

4. Vendor Performance/Evaluation

a. Evaluation of vendor performance is an important aspect of procurement services. Problems encountered by a school or department can be avoided by other campuses/departments when these occurrences are communicated to the Procurement Services Department. Factors to consider when evaluating vendor s' performance include:
(1) Timeliness of deliveries of goods and/or services. Do delivery dates/times correspond

5.

10. Purchase Orders

a. After a purchase requisition is reviewed and approved by the Procurement Services Department, it is converted to a purchase order. Purchase orders are among the most utilized methods for procuring goods and services and

11. Purchase Order Status

The following descriptions are used to track and document the purchase order status in Oracle:

- In Process – requisition is being approved by the end user's approval chain and is en route to Procurement Services for the approval process.
- Incomplete – requisition is lacking required supporting documentation (insurance verification, quote(s), etc.) and is held in Procurement Services awaiting documentation. There are various definitions depending on what level the requisition is on. If it is incomplete on the end-user level, this means that they have not completed or submitted it for approval. If it is incomplete on the purchasing level, this means that the Buyer has started the approval process but has not finished. Also, requisitions are processed through punch out and are awaiting the Buyer to approve the purchase order.
- Approved – Purchase order completely processed.
- Closed – A purchase order is automatically closed once it is received and is billed for all ordered goods or services. Two primary methods are used to close purchase orders:
  - by the end-user after the goods/services have been received. If a purchase order is closed, any remaining funds are returned to the end user's budget accounts.
  - By the Finance and Accounting Services Department (FASD) at the end of a fiscal year.
- Final Close – Prevents actions or modifications to purchase orders such as an online receipt, transfer, delivery, correct receipt quantities, invoice, return to vendor, or return to receiving.
- Cancelled – Procurement Services releases any unfilled requisition lines.

12. Purchase Order Cancellation

In the event it is necessary to cancel a purchase order, the school or department must notify the Procurement Services Department. The Procurement Services Department will cancel the purchase order to release the funds encumbered. The Procurement Services Department will notify the vendor of the cancellation of the purchase order. Campuses and departments must allow for billing of any goods and services that have been received prior to canceling a purchase order.

13. Purchase Order Final Close

a. The Procurement Services Department will final close a purchase order and liquidate the funds encumbered if the purchase order has been fulfilled, received, paid, and there are funds remaining.
b. The Procurement Services Department requires notification in writing via email and the reason for requesting a final close of the purchase order.
c. At the end of the fiscal year, the following processes regard6 (ow)2.6 (i)2..6 (l)2.6 ( )0.5 (T5Tjt)-6.6 (h(ai)

14. Small Purchase Reimbursements

a. Employees may submit allowable and supported expenditures for reimbursement through Oracle Self Service iExpense. Accounts Payable may be reached at (972) 925-3362 for assistance.

   Per Board Policy DEE (LOCAL), with prior approval of the employee's immediate supervisor, an employee shall be reimbursed for reasonable, allowable expenses incurred in the conduct of District business. Such a purchase made by a District employee using his or her personal funds, properly receipted and authorized, shall be reimbursed by the Accounts Payable Department. Under no circumstances may these exceptional procedures be used to circumvent normal purchasing procedures and practice or the use of awarded vendors.

15. End-User's Responsibilities

a. Campuses and departments shall ensure that the requisition and purchase order process always **precede** the receipt of goods/services and the payment process.
b. Campuses and departments shall only initiate and approve requisitions within approved budget authority and ensure proper budget/account coding per line item.
c. Campuses and departments shall use awarded vendors (as defined in section 8) to procure goods and services. For many products (office supplies, repair parts, etc.), the District has awarded to multiple vendors with a span of pricing; therefore, it is fiscally prudent to obtain three quotes to ensure best price. For use of Federal/Special Revenue funds (between $10,000 and $50,000), three written quotes must be received and

determining the proper destination.

c. Ensure that the items on the packing slip match the items on the requisition/purchase order, accept the items that were ordered, and contact the vendor for instructions for handling any incorrect items.
d. Compare the number of containers delivered to the number on the carrier's packing slip. Record any discrepancy on the carrier's shipping documents.
e. Examine the outside of the containers for damage:
   (1) Minor Visible Damage - record any damage to the shipping containers on the carrier's shipping document and ensure that it is signed by the delivery person before the shipment is accepted. Recording minor damages to containers provides added documentation in the event that there is concealed damage.
   (2) Severe Visible Damage - the process for severely damaged containers differs depending on whether the order was shipped F.O.B. Origin or F.O.B. Destination. F.O.B. stands for "Free on Board" and is a transportation term that indicates that the price for goods includes delivery at the vendor's expense to a specified point (normally your destination, i.e., school, department, or the Dallas ISD Warehouse). The F.O.B. term is used with an identified physical location to determine:
      i. responsibility and basis for payment of freight charges, and
      ii. the point at which title (or ownership) for the goods transfers from vendor to the District.
f. Inspect the shipment for concealed damage. Concealed damage is damage that was not evident at the time of delivery. If damages are discovered after unpacking the shipment, notify both the carrier and the vendor in writing by email or facsimile.
g. After the shipment is unpacked, check the following against the purchase order:
   (1) Compare the quantity received with the quantity ordered.
      i. Over-shipments: An over-shipment is a shipment that contains more of an item than you ordered. Contact the vendor to resolve the issue with a request to return the overage.
      ii. Under-shipments: Vendors will only receive payment for the actual items received.
   (2) Compare the brand name and model number received with the brandname and model number on the purchase order.
   (3) Compare the shipment with the physical descriptions on the purchase order.
   (4) Compare the packaging, labeling, marking, etc. with those on the purchaseorder.
   (5) Retain copies of all shipping documentation until all discrepancies are resolved.
h. Accounts Payable may be reached at (972) 925-3362 for assistance.

SECTION 11

BOARD OF TRUSTEES APPROVAL

In accordance with Board Policy CH

SECTION 12

EMERGENCY PURCHASES

1. Policy Statement

The District

GLOSSARY OF TERMS

Addition: An addition to a building is an expansion, extension, or increase in the gross floor area of a building or facility.

Advertising: A form of public notice of an intended purchase. See "Legal Notice."

Agency: (1) An administrative division of a government. (2) A relationship between two parties by which one, the agent, is authorized to perform or transact certain business for the other, the Principal: also, the office of the agent.

All-or-None Bid: A bid submitted for a number of different items, services, etc., in which the bidding vendor states he will not accept a partial award but will accept only an award for all the items, services, etc., included in the Invitation for Bids. Such bids are acceptable only if provided for in the invitation, or if the bidding vendor quoted an individual price for each of the items, a service, etc., as listed and is the low bidding vendor on each item.

Alteration: An alteration is a change to a building or facility that affects or could affect the usability of the building or facility or a part thereof. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, change or rearrangement of the structural parts or elements, and changes in the plan configuration of walls and full-height partitions. Normal maintenance, reroofing, painting, or wallpapering, or changes to mechanical or

business in Texas and licensed by the state of Texas to issue surety bonds may provide a bidding vendor to guarantee their proposal and firm is financially secure to complete the project that firm is bidding.

Bid Opening: The formal process through which bids are opened and the contents revealed for the first time to the District, other bidding vendors, and, usually, to the public.

Bid Sample: A sample required of a bidding vendor for examination, comparison, testing, and evaluation by the prospective purchaser.

Bidd

Combination Specifications: Specifications that contain elements of both design and performance specifications. Some features of each are included to allow a vendor to use ingenuity to meet the performance needs of the government and also to require certain necessary design characteristics. This is probably the most common type of specification.

Commodity: An article of trade, a movable article of value, something that is bought or sold; any movable or tangible thing that is produced or used as the subject of barter or sale.

Competition: The process by which two or more vendors vie to secure the business of a purchaser by offering the most favorable terms as to price, quality, delivery, and/or service.

Competitive Bidding: The submissions of prices by individuals or firms competing for a contract, privilege, or right to supply merchandise or services.

Competitive Negotiation: A method for contracting for goods and services, whereby proposals are solicited from qualified vendors; and, following submission of proposals, changes in proposals and prices are allowed. The offer deemed by the awarding authority to be most advantageous in terms of criteria as designated in the Request for Proposals is accepted, a negotiated procurement.

Competitive Sealed Proposals: A term used for competitive negotiation as a source selection.

Component Purchases: Purchases of the component parts of an item that in normal purchasing practices would be made in one purchase.

Conflict of Interest: A situation where the personal interests of a vendor, public official, or employee are, or appear to be, at odds with the best interests of the District.

Contingency: A possible future event or condition arising from presently known or unknown causes, the outcome of which is indeterminate at the present time.

Cooperative Purchasing: (1) The combining of the purchasing requirements of two or more political entities to obtain the advantages of volume purchases, reduction in administrative expenses, or other public benefits. (2) Procurement conducted by, or on behalf of, more than one Public Procurement Unit, or by a Public Procurement Unit with an External Procurement Activity.

Costs: Costs, relating to buildings within the District, shall include all required labor, material, supplies, wages, benefits, consultants, bonds, subcontractors, advertising, and other related expenses, including those performed by District employees, full-time or temporary, or drawn from District supplies. Any donated supplies, labor, or other items shall also be included in the costs but may be shown as a separate category. Lease and deferred cost items shall also be calculated in current dollars and indicated as to funding source. These costs will be accrued by maintenance services, facilities planning and design, custodial services, and other departments and applied to the cost of a project. Estimated costs shall be for all items described, including any applicable contingency for unforeseen or hidden conditions.

Delivery Schedule: The required or agreed time, or rate, of delivery of goods or services.

Delivery Terms: Conditions in a contract relating to freight charges, place of delivery, time of delivery, or method of transportation.

Descriptive Literature:

F.O.B. Destination: Under these terms, the risk of loss of goods does not pass to the District until the goods are delivered and the District has accepted the shipment. If the shipment is refused or never reaches its destination, the vendor is responsible for re-shipping new goods at their expense. It is recommended that all orders be placed as F.O.B. Destination.

Force Majeure: A contingency or occurrence that cannot be avoided by human power; a cause of damage, which is the result of nature (e.g., hurricane, flood, lightning) and not attributable to negligence.

Identical Bid: A bid that is the same in all respects as another bid.

Ineligible Bidding Vendor: A vendor or prospective vendor who, by reason of financial instability, unsatisfactory reputation, poor history of performance, or other deficiency, does not meet the qualifications for placement on the vendor mailing list or for the award; also, non-responsible bidding vendor.

Inspection: Critical examination and/or testing of items to determine whether they have been received in the proper quantity and condition and conform to the applicable specifications.

Invitation for Bids (IFB): (1) The solicitation document used for competitive sealed bidding, the customary method used by state and local governments for the purchase of equipment, materials, supplies, and construction. (2) All documents, whether attached or incorporated by reference, utilized for soliciting bids.

Late Bid/Proposal: A bid or proposal received at the place specified in the solicitation after the time designated for all bids or proposals to be received.

Legal Notice: Notice of a proposed purchase as required by law. Depending upon the legal requirement, notice may be satisfied by posting an announcement of the purchase in a public place, notification of the appropriate bidding vendors from the vendor mailing list, formal advertisement in a newspaper or newspapers, or a combination of these methods.

Lease-Purchase Agreement: A lease contract containing a purchase option in which the lessee's periodic payments or parts thereof may be applied to serve both as the rental obligation

Major Maintenance: The major maintenance of buildings and facilities is defined as maintenance work that will require the use of a registered architect, engineer, or professional consultant, or when the contemplated cost is $50,000 or above.

Multiple Awards: The award of bids/proposals to two or more bidding vendors for the same or essentially similar items or services.

Normal Maintenance: The normal maintenance of buildings and facilities is the upkeep of structures and systems already in place, to preserve them and prevent their failure, or to restore them by replacing worn-out or broken parts. As such, normal maintenance does not require a registered engineer or professional consultant.

Non-responsive Bid: A bid that does not conform to the essential requirements of the invitation for bids; nonconforming bid; unresponsive bid.

Option to Renew: A bid/proposal clause that allows a party to elect to re-institute the bid/proposal for an additional term.

Payment Bond: A contract of guaranty executed subsequent to award by a successful bidding vendor to protect the District from loss due to vendor's inability to pay for materials/supplies for the bid/proposal as agreed.

Performance Bond: A contract of guaranty executed subsequent to award by a successful bidding vendor to protect the District from loss due to the vendor's inability to perform the bid/proposal as agreed.

Performance Specifications: Where the goods and/or services are described in terms of required performance. They may include such details as required power, strength of material, test methods and standards of acceptability, and recommended practices.

Pre-Bid/Proposal Conference: A meeting scheduled in a solicitation for the purpose of providing clarification as needed. Substantive questions raised at a pre-bid conference are answered in writing and may modify the solicitation.

Procurement: The procedures for obtaining goods or services, including all activities from the planning steps and preparation and processing of a requisition, through receipt and acceptance of delivery and processing of a final invoice for payment. The acts of preparing specifications, evaluating bids or proposals, making awards, and administering contracts are involved; in some contexts, property management is implied.

Professional Services: Often technical, and/or unique functions performed by independent contractors whose occupation is the rendering of such services. While not limited to individuals with specialized licenses, the services are considered "professional," and the contract may be awarded to partnerships, firms, or corporations as well as individuals. Examples of professional services include medicine and the medical arts, architectural, and engineering services.

Project Stacking: Project stacking is dividing the scope of work into smaller sums for the sole purpose of bypassing proper approval. ***Project stacking is strictly prohibited***. Costs for alterations and addition projects will be considered cumulative within the budget year.

Proposal: The executed document submitted by a vendor in response to a Request for Proposal (and the basis for subsequent negotiation).

Proposal Evaluation Criteria: Factors, usually weighted, relating to management capability, technical capability, and manner of meeting performance requirements, price, and other important considerations used to evaluate which vendor in a competitive negotiation has made the most advantageous offer.

Purchase Order: This document serves as a formal order for goods, materials, and/or services from a vendor. A purchase order, once approved, is a binding commitment for a District to remit payment to the vendor after the item(s) and an invoice are received by the District. Acceptance of a purchase order by the vendor constitutes a contract.

Quotation: A statement of price, terms of sale, and description of goods or services offered by a prospective seller to a prospective purchaser, usually for purchases below the amount requiring formal bidding; the stating of the current price of a commodity, or the price so stated.

Registered Vendor: Potential vendors who have provided required documentation in the Oracle Vendor Management module as a prelude to becoming an Awarded Vendor.

Request for Information (RFI): The document used in informal, non-competitive solicitations of information, data, comments, or reactions from possible vendors preceding the issuance of a

Sealed Bid: A bid which has been submitted in a sealed envelope to prevent its contents being revealed or known before the deadline for the submission of all bids: usually required by law or rule on major procurements, to enhance fair competition.

Separate Purchases: Purchases, made separately, of items that in normal purchasing practices would be made in one purchase.

Sequential Purchases: Purchases of items, over a period, that in normal purchasing practices would be made in one purchase.

Sole Source Procurement: A purchase or award for a commodity or service to the only legally capable vendor, occasioned by the unique nature of the requirement, the vendor, or market conditions.

Special Revenue Fund: Proceeds of specific program grants that are legally restricted to expenditures for specified purposes.

Specification: A description of what the purchaser seeks to buy, and, consequently, what the bidding vendor must be responsive to in order to be considered for award of a contract. A specification may be a description of the physical or functional characteristics, or the nature of a supply of service. It may include a description of any requirements for inspecting, testing, or preparing a supply or service item for delivery. A purchase description.

Standardization (of Specifications): The process of examining characteristics and need for items of similar end usage and developing a single specification that will satisfy the need for most or all purchases for that purpose.

Supplies: Customarily, items that are consumed or expended in the course of being used, as distinguished from equipment and materials; but in some purchasing terminology, all items except construction and services.

Tabulation of Bids: A recording of bidding vendors and abstract of their bids listing items offered, prices, deliveries, etc., in response to a specific solicitation, made for the purpose of comparison and recordkeeping; an abstract.

Temporary Structure: A temporary structure is a building or facility that is not a permanent construction but is extensively used for public use for a period of time. Examples of temporary structures include reviewing stands, temporary or portable classrooms, bleacher areas, temporary health screening services, and exhibit areas.

Terms and Conditions: A general reference applied to the provisions under which bids must be submitted and which are applicable to most purchase orders.

Testing: Determination of the physical, chemical, or performance characteristics of items. Testing may be conducted in connection with developing specifications and standards, making comparative evaluations of products offered on bids, and ascertaining compliance with specifications before or after a bid/proposal award.

Title: The means whereby a person's ownership of property is established.

Uniform Commercial Code: Set of suggested laws relating to commercial transactions adopted by states for consistency and fair dealing in business and commercial transactions.

Vendor Performance Record: Record to indicate a vendor's ability to keep delivery promises and reliability, together with consistency of quality and performance of the products and services furnished.

Warranty: A representation of utility, condition, and durability made by a bidding vendor for a product offered.

Warehouse Requisition: A warehouse requisition may be used to obtain supplies or materials (a catalog describing items in the warehouse is available by contacting the Warehouse Department.) A warehouse requisition is completed at the department or campus level and submitted to the warehouse. Warehouse personnel then review the requisition for accuracy, completeness, and availability of funds. After processing the requisition, the supplies and materials are removed from the warehouse stock and delivered to the appropriate party.

APPENDIX

Appendix A – Minority/Women Business Enterprise (https://www.dallasisd.org/mwbe)

- Dallas ISD M/WBE Manual
- Dallas ISD M/WBE Joint Venture Manual
- Dallas ISD Master Joint